

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Tess Nguyen, Associate Planner
DATE: November 17, 2010

SUBJECT: CONDITIONAL USE PERMIT NO. 10-013 (NGUYEN RESIDENCES)

LOCATION: 17102-17112 Bolsa Chica Street, 92649 (east side of Bolsa Chica Street, south of Warner Avenue)

Applicant: Thom Jacobs, Architect, 202 Alabama Street, Huntington Beach, CA 92648

Property Owner: Xuan Mai Nguyen, 16761 Tim Lane, Lake Balboa, CA 91406

Request: To permit the construction of two detached multi-family dwelling units with an overall height of 35 ft.

Environmental Status: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

Zone: RM (Residential Medium Density)

General Plan: RM-15 (Residential Medium Density- 15 dwelling units/acre - maximum)

Existing Use: Single family residence

RECOMMENDATION: Staff recommends denial of the proposed project based upon the following findings:

SUGGESTED FINDING FOR DENIAL - CONDITIONAL USE PERMIT NO. 10-013:

1. Conditional Use Permit No. 10-013 to permit the construction of two detached multi-family dwelling units with an overall height of 35 ft. will be detrimental to the general welfare of persons working or residing in the vicinity and detrimental to the value of property and improvements in the neighborhood. The proposed height of the buildings will impact the surrounding area by being out of scale with the mass and bulk of other developments within neighborhood. Furthermore, portions of the building walls which exceed 25 ft. in height along the interior side and rear yard areas encroach 3 ft. into the minimum 8 ft. setback

required by code. The additional 3 ft. setback over the minimum requirement ensures developments are of an appropriate scale to the surrounding neighborhood, including the project site, and protects lighting/ventilation and privacy of existing adjacent developments. Therefore, the proposed project is anticipated to generate impacts detrimental to surrounding properties and inconsistent with the subject property's Residential Medium Density zoning.

2. The conditional use permit will not be compatible with other structures in the surrounding area because the height and building size will not be consistent with the scale and mass of other adjacent developments. In addition, the project will be deficient with the City's minimum development standards in terms of common open space, onsite tree requirements, and vehicular ingress/egress to parking spaces. Surrounding developments incorporate open space areas and landscaping around the buildings to provide visual relief between structures, which are items of incompatibility that the project does not maintain.
3. The conditional use permit will not comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance. The proposed structures do not comply with the additional setback required for building walls exceeding 25 ft. in height, minimum vehicle turning radius standards, minimum driveway length as required with a privacy gate, minimum common open space area, and minimum tree requirements.
4. The granting of the conditional use permit will adversely affect the General Plan and is not consistent with the following General Plan policy:

Policy LU 4.2.4: Require that all developments be designed to provide adequate space for access, parking, supporting functions, open space, and other pertinent elements.

The proposed project will not be compatible with the existing developments in the vicinity in relation to vehicular access, parking, common open space, landscaping, and building massing. Other properties with similar land use are designed to convey a high level of quality and character.